

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Order Filed on May 7, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
Adam Frank

Adam Frank

Plaintiff(s)

v.

UNITED STATES DEPARTMENT OF
EDUCATION,

Defendant(s)

Case No.: 24-15200
Hearing Date: 11/21/2024
Adv. No.: 24-01471
Judge: Mark E. Hall

JOINT ORDER SCHEDULING PRETRIAL PROCEEDINGS AND TRIAL

The relief set forth on the following pages, numbered two (2) and three (3), is hereby **ORDERED**.

DATED: May 7, 2025

Honorable Mark E. Hall
United States Bankruptcy Judge

A pretrial conference, having been scheduled pursuant to *Fed.R.Civ.P.* 16(b) and (e), made applicable to these proceedings by *Fed.R.Bankr.P.* 7016, it is

ORDERED that

1. All fact discovery is to be completed by August 21, 2025 *[enter a date more than 90 days from the date of the pretrial conference]*. Any motions to compel discovery are to be made so that the Court can rule and the discovery can be obtained before that date. Late filed discovery motions will not constitute cause for an adjournment of the scheduled trial date. To the extent any party seeks to introduce expert testimony, an amended joint scheduling order must be filed no later than 30 days after the above date, providing for the delivery of expert reports and completion of expert discovery.

2. The parties to this Order consent to the Bankruptcy Court's adjudication and entry of final judgment on all claims and defenses raised in this proceeding, unless specifically contested in pleadings which comply with Fed. R. Bankr. P. 7008 and Fed. R. Bankr. P. 7012. To the extent any party does not so consent, that party must file a motion within 30 days of the entry of this Order seeking a determination as to whether this Court may adjudicate to final judgment any or all claims and defenses. The failure to timely file such a motion shall be deemed consent to the Bankruptcy Court's adjudication and entry of final judgment on all claims and defenses raised in this proceeding.

3. Any party seeking to amend pleadings or add additional parties, must do so by filing a motion no later than 30 days after the close of fact discovery.

4. All other motions must be filed no later than 30 days after the completion of all discovery. Late filed motions will not constitute cause for an adjournment of the trial date.

5. Each party must pre-mark the exhibits which may be used at trial.

6. 14 days before trial each party must:

(a) serve a copy of the pre-marked exhibits on each opposing party and provide one bound copy of the exhibits to the Court in Chambers (not to be docketed by the Clerk); and

(b) file, and serve on each opposing party a list of witnesses.

7. All exhibits will be admitted into evidence and witnesses permitted to testify at trial, unless a written objection has been filed 7 days before the trial date. Only parties identified on the witness list will be permitted to give testimony.

8. Any party intending to introduce deposition testimony at trial must serve on each opposing party and file copies of the transcript pages with excerpts highlighted.

9. Within 14 days from the conclusion of the trial, unless such time is extended by the Court, each party must file, and serve on each opposing party, separately numbered proposed findings of fact and conclusions of law with supporting legal citations.

10. Trial will begin on December 1, 2025 at 10:00 am or as soon as the matter may be heard, at:

UNITED STATES BANKRUPTCY COURT ADDRESS:

50 Walnut Street, 3rd Floor

Newark, NJ 07102

Courtroom no: 3E

PARTIES MUST BE PREPARED TO PROCEED TO TRIAL ON THE SCHEDULED DATE. ADJOURNMENTS WILL BE GRANTED ONLY FOR COMPELLING REASONS BEYOND THE CONTROL OF THE PARTIES. UNDER D.N.J. LBR 5071-1, PARTIES REQUESTING AN ADJOURNMENT MUST SUBMIT LOCAL FORM, *ADJOURNMENT REQUEST*, VIA CHAMBERS EMAIL NOT LATER THAN 3 DAYS BEFORE THE TRIAL DATE.

rev.2/7/22